IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1507 OF 2006

Shri Babaso Sukumar Patil & Ors. .. Petitioners.
Vs.
The State of Maharashtra .. Respondent.

Mr.A.B.Vagyani i/b Sarang Aradhye for the petitioners.
Mr.A.S.Shitole A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 31ST JULY, 2006

P.C.:

. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. This petition is directed against the following order:

> . "Read application of accused and say filed by the prosecutor. Heard both the sides. It is submitted by defence lawyer that accused be discharged u/s 307 r/w 34 of I.P.C. as case comes under S.326 of I.P.C. I have gone through case papers Medical Certificate on record. At this stage according to me there is sufficient evidence to frame the charge u/s.307 read with 34 of I.P.C. Hence application is rejected."

3. Keeping the nature of the order in view and considering the provisions of section 216 and 464 of the Code of Criminal Procedure I find absolutely no merit in the petition. The petition is, accordingly, dismissed.

(D.B.Bhosale, J.)